

COUNTY OF FAIRFAX, VIRGINIA

SPECIAL PERMIT RESOLUTION OF THE BOARD OF ZONING APPEALS

VASILA LADYGINE, SP 2013-DR-038 Appl. under Sect(s). 8-301 of the Zoning Ordinance to permit a home child care facility. Located at 2008 Leonard Rd., Falls Church, 22043, on approx. 12,771 sq. ft. of land zoned R-4. Dranesville District. Tax Map 40-1 ((18)) 1. Mr. Hammack moved that the Board of Zoning Appeals adopt the following resolution:

WHEREAS, the captioned application has been properly filed in accordance with the requirements of all applicable State and County Codes and with the by-laws of the Fairfax County Board of Zoning Appeals; and

WHEREAS, following proper notice to the public, a public hearing was held by the Board on August 7, 3013; and

WHEREAS, the Board has made the following findings of fact:

1. The applicant is the owner of the land.
2. The Board has a favorable staff report.
3. It appears the applicant meets all the requirements to grant this.
4. The Board adopts staff's recommendations generally.

AND WHEREAS, the Board of Zoning Appeals has reached the following conclusions of law:

THAT the applicant has presented testimony indicating compliance with the general standards for Special Permit Uses as set forth in Sect. 8-006 and the additional standards for this use as contained in the Zoning Ordinance.

NOW, THEREFORE, BE IT RESOLVED that the subject application is **APPROVED** with the following limitations:

1. This approval is granted to the applicant, Vasila Ladygine, only and is not transferable without further action of the Board, and is for the location indicated on the application, 2008 Leonard Road, and is not transferable to other land.
2. This special permit is granted only for the purpose(s), structure(s) and/or use(s) indicated on the House Location Survey prepared by Brian W. Smith of B.W. Smith and Associates, Inc., dated May 21, 2007, and approved with this application, as qualified by these development conditions.
3. A copy of this special permit SHALL BE POSTED in a conspicuous place on the property of the use and be made available to all departments of the County of Fairfax during the hours of operation of the permitted use.
4. The maximum hours of operation of the home child care facility shall be limited to 7:00 a.m. to 6:00 p.m., Monday through Friday.

5. The dwelling that contains the child care facility shall be the primary residence of the applicant.
6. The maximum number of children on site at any one time shall be twelve, excluding the applicant's own children.
7. Pick-up and drop-off of children shall take place in the driveway.
8. A minimum of six parking spaces shall be provided on the subject parcel within the garage and areas of existing paving.
9. The existing two-car garage shall not be converted to a use other than for off-street parking and shall be kept clear of debris at all times in order to accommodate parking for the dwelling and home child care uses.
10. There shall be no signage associated with the home child care facility.

This approval, contingent upon the above-noted conditions, shall not relieve the applicant from compliance with the provisions of any applicable ordinances, regulations or adopted standards.

Pursuant to Sect. 8-015 of the Zoning Ordinance, this special permit shall automatically expire, without notice, thirty (30) months after the date of approval unless the use has been established as outlined above. The Board of Zoning Appeals may grant additional time to establish the use if a written request for additional time is filed with the Zoning Administrator prior to the date of expiration of the special permit. The request must specify the amount of additional time requested, the basis for the amount of time requested, and an explanation of why additional time is required.

Mr. Byers seconded the motion, which carried by a vote of 4-0. Mr. Beard, Mr. Smith, and Ms. Gibb were absent from the meeting.

A Copy Teste:



Kathleen A. Knoth
Clerk to the Board of Zoning Appeals